

Monte J. White and Associates
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

In Re:	§ Chapter 13
	§ Case No. 09-70559-hdh-13
Warren Olin Gould	§
and Stacey Rhea Gould	§
Debtors	§
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Warren Olin Gould	§
And Stacey Rhea Gould	§ Adversary No. 09-07005-hdh
Plaintiffs	§
v.	§
USA Auto Sales, Inc. dba USA Auto Sales	§

AGREED MOTION TO DISMISS
ADVERSARY COMPLAINT WITH PREJUDICE

THE PLAINTIFF(S) in the above referenced case, through attorney of record, Monte J. White, files this Agreed motion and would respectfully show the Court as follows:

1. Plaintiffs and Defendant have resolved any and all issues related to the above-styled adversary complaint through the agreement contained in this motion.
2. Defendant, USA Auto Sales, Inc. dba USA Auto Sales agrees to pay to the Plaintiffs, Warren and Stacy Gould the sum of \$1,000.00 within ten (10) days of the entry of the order by and through Monte J. White and Associates, P.C.
3. Defendant, USA Auto Sales, Inc. dba USA Auto Sales agrees to pay to Monte J. White and Associates, P.C. the amount of \$1,500.00 for attorney fees within ten (10) days of the entry of the order.
4. Accordingly, Plaintiffs and Defendant stipulate, by and through their counsel, that the above-styled adversary, including any and all claims or counter-claims relative to the adversary proceeding are hereby dismissed with prejudice pursuant to Rule 41 (a)(1)(ii) of the Federal Rules of Civil Procedure, made applicable herein by Rule 7041 of the Bankruptcy Rules of Procedure.
5. Plaintiffs and Defendant, by this Motion, respectfully request that the settlement be approved and that such complaint be dismissed with prejudice and the case be closed as soon as practicable.

WHEREFORE, Plaintiff(s), with agreement from Defendant, pursuant to Rule 7041 of the Rules of Bankruptcy Procedure, move this honorable court to enter an order approving the settlement and dismissing this case with prejudice and closing the case as soon as practicable.

Respectfully submitted,

/s/Monte J. White
Attorney for the Plaintiffs

AGREED AS TO FORM AND SUBSTANCE:

/s/Monte J. White
attorney for Plaintiffs

/s/Gene Douglass
attorney for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 4, 2010, a true and correct copy of the foregoing was served by ECF and/or regular mail to all parties in interest.

/s/Monte J. White, Attorney for Plaintiff(s)

Gene Douglass
Attorney at Law
1811 Tenth Street
Wichita Falls, Texas 76301

USA Auto Sales, Inc.
1307 Scott Avenue
Wichita Falls, Texas 76301

Warren and Stacey Gould
2034 Tammen Road
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